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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

VU, THANH T

ART UNIT

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/825,564	Applicant(s) AREND ET AL.	
	Examiner THANH T. VU	Art Unit 2175	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 January 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|----------------------------------------------------------------------------------------|-------------------------------------------------------------------|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03/06/2008</u> | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 01/31/2008 has been entered.

This communication is responsive to Amendment, filed 01/31/2008.

Claims 1-20 are pending in this application. In the Amendment, claims 1 and 11 were amended.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Branson et al. ("Branson", U.S. Pat. No. 2005/0114778) and Clark et al. ("Clark", U.S. Pat. No. 5,995,101).

Per claim 1, Branson teaches a method of disclosing structured database information to a computer user for making a decision regarding an event, comprising:

alerting the user to the event (fig. 2; hover assistance 230; [0040]; [041]; the *user is being alerted to a hover assistance event 203 when the mouse pointer is over a graphical element*), wherein the event is associated with both structured information accessible through a database (fig. 2; col. 4, [0042], [0048], and [0050]; *successive levels of text messages with increasing assistance detail levels are considered as a structured data information and such data information is stored in memory or in a mass storage device, see fig. 1 and [0036]*) and unstructured information ([0054] *shows hover text message 510 of Fig. 5 can immediately be displayed instead of displaying hover text messages 230, 310, and 410 (or structured information). An immediate display of a higher detail level is considered as unstructured information*);

receiving a first request for the structured database information relating to the event (fig. 2; col. 4, [0042], [0048], and [0050]; *when user maintains the same mouse position over graphical element 210 of fig. 2 for a period of time or when the user enters a command input via an input device, the system receives a first request from the user for a next level of hover assistance; successive text messages with increasing assistance detail levels are considered as a structured data information and such data information is stored in memory or in a mass storage device, see fig. 1 and [0036]*).

providing a first portion of the structured database information relating to the event (figs. 2 and 3; [0048]; hover text message 310 is provided on the display as a first portion of the hover assistance level relating to the mouse over (hover) event);

receiving a second request for additional structured database information and options relating to the event (figs. 3 and 4; col. 4, [0042], [0048], and [0050]; *when user maintains the same mouse position over graphical element 310 of fig. 3 for a period of time or when the user enters a command input via an input device, the system receives a second request from the user for a next level of hover assistance and options relating to the hover event; successive text messages with increasing assistance detail levels are considered as a structured data information and such data information is stored in memory or in a mass storage device, see fig. 1 and [0036];*)

providing a second portion of the structured database information and the options relating to the event, the second portion being larger than the first portion, the options including a mechanism for making the decision (figs. 3 and 4; [0048]; [0058] and [0061]; *hover text message and options 430, 440 and 420 are provided on the display as a next level the hover assistance; the second portion 410 is larger than the first portion 310. User can select options 420, 430 and 440, see [0058] and [0061]).*

Although Branson teaches alerting the user to the event, wherein the event is associated with both structured information accessible through a database and unstructured information as described above, Branson does not specifically teach that the event are associated with information from different sources and unstructured information is stored in one or more file formats. However, Clark teaches event are associated with information from different sources

(col. 5, lines 25-29 and line 50-54; *which shows provided information are derived from one or more files (text or multimedia files), the information may originate from internet through hyperlinks, and receiving data (e.g. pictures, movies) through communication links such as a serial link, local area network, wireless link or parallel link*), and storing of information in one more file formats (col. 5, lines 25-29 and lines 50-54; *files containing information to be displayed in multilevel tool tips*). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Clark in the invention of Branson in order to allow storing and retrieving information to be display in a multi-level help information.

Per claim 2, the modified Branson teaches the method of claim 1, further comprising:
receiving a third request for additional structured database information and options relating to the event (Branson, figs. 4 and 5; col. 4, [0042], [0048], and [0050]; *when user maintains the same mouse position over graphical element 410 of fig. 4 for a period of time or when the user enters a command input via an input device, the system receives a second request from the user for a next level of hover assistance and options relating to the hover event; successive text messages with increasing assistance detail levels are considered as a structured data information and such data information is stored in memory or in a mass storage device, see fig. 1 and [0036]*) ; and

providing a third portion of the structured database information and the options relating to the event, the third portion being larger than the second portion, the options including a mechanism for making the decision (figs. 3 and 4; [0048]; [0058] and [0061]; *hover text message and options 430, 440 and 420 are provided on the display as a next level the hover assistance;*

the third portion 510 is larger than the second portion 410. User can select related actions 1-4 and detail help 5, see [0058] and [0061]).

Per claim 3, the modified Branson teaches the method of claim 1, wherein the alert is provided in a sidebar (Branson, *hover text message is provided on a graphical element i.e. toolbar or taskbar*, see [0040] and [0041]).

Per claim 4, the modified Branson teaches the method of claim 1, wherein a notification is provided in place of an alert (Branson, fig. 2; [0042]; *hover text message 210*).

Per claim 5, the modified Branson the method of claim 1, wherein the first portion of the structured database information relating to the event is provided in a contextual menu (Branson, *hover assistance is provided based on current user context, see. [0047]*).

Per claim 6, the modified Branson teaches the method of claim 1, wherein the first portion of the structured database information relating to the event is provided in a flyout (Branson, fig. 3; *flyout 310*).

Per claim 7, the modified Branson teaches the method of claim 1, wherein the second portion of the structured database information and the options relating to the event are provided in a quick activity window (Branson, fig. 4; *quick activity window 410 with various options 420, 430, and 440*, see [0058] and [0061]).

Per claim 8, the modified Branson teaches the method of claim 2, wherein the third portion of the structured database information and the options relating to the event is provided in a guided activity window (Branson, fig. 5; *guided activity window 510 with text assistance*).

Per claim 9, the modified Branson teaches the method of claim 1, further comprising providing unstructured database information in response to the second request (Branson, [0053]

and [0054]; *user is provide a particular detail level without the need to go through the structure of successive hover assistance levels of increasing detail.*)

Per claim 10, the modified Branson teaches the method of claim 2, further comprising providing unstructured database information in response to the third request (Branson, [0053] and [0054]; *user is provide a particular detail level without the need to go through the structure of successive hover assistance levels of increasing detail.*)

Claim 11 is rejected under the same rationale as claim 1, Branson further teaches a memory and a microprocessor couple to the memory (fig. 1; [0035]; 0036).

Claims 12-20 are rejected under the same rationale as claims 2-10 respectively.

Response to Arguments

Applicant's primary argument is that "Branson, whether displayed successively or out of order are still from the same source of information." (page 9 of Remarks).

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

In this case, Clark teaches provided information are derived from different sources (col. 5, lines 25-29 and line 50-54; *which shows provided information are derived from one or more files (text or multimedia files), the information may originate from internet through hyperlinks, and receiving data (e.g. pictures, movies) through communication links such as a serial link, local area network, wireless link or parallel link.*)

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to THANH T. VU whose telephone number is (571)272-4073. The examiner can normally be reached on Mon- Fri 7:00 AM - 3:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William L. Bashore can be reached on (571) 272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Thanh T. Vu/
Examiner, Art Unit 2175